

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

P.S. – Education (SE) department – Departmental proceedings against Sri D.Ghouse Mohammed, ACGE, for non-submission of annual property returns and not obtaining prior permission in acquisition/disposal of properties – Charges proved in the regular enquiry - Show cause notice issued – Explanation submitted – Imposition of the penalty of “10% cut in pension for 2 years – Orders – Issued.

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EDUCATION [SE-VIG.I(1)] DEPARTMENT

**G.O.Rt.No. 368**

**Dated 13-05-2011**

Read the following:-

1. From Sri Janak Raj, IPS (Retd.), C.O.I., Inquiry Report dt.30.11.2007.
2. Explanation of Sri D.Ghouse Mohd., ACGE, dt.25.7.2008.
3. Govt. Memo.No.11469(a)/SE-Vig.I(1)/2004-7, dated 27.4.2010
4. Explanation of Sri D.Ghouse Mohd., ACGE (Retd), dt.15.06.2010
5. G.O.Rt.No.653 Edn [SE-Vig.I(1)] Deptt., dated 23.10.2010

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**ORDER**

Whereas, Sri D.Ghouse Mohammed, the then ACGE, O/o DEO, Mahabubnagar (now Retired) was found guilty for the offences punishable under section 7 and 13(1)(d) read with section 13(2) of the P.C.Act and **convicted** under section 248(2) Cr. P.C. Government after careful examination of the matter and after following the procedure proscribed, imposed the penalty of “**withholding of Pension and Gratuity in full permanently**” on Sri D.Ghouse Mohammed, the then ACGE, O/o DEO, Mahabubnagar (now Retired) vide reference 5<sup>th</sup> read above, on the ground of conduct led to his conviction on a criminal charge.

2. And whereas, departmental enquiry was also initiated against the A.O. D.Ghouse Mohd., ACGE (now retired) for violation of conduct rules for (i) his failure to submit Annual Property Returns during his entire service and (ii) his failure to seek and obtain prior permission while his family members acquired land and other properties in their names. The case was entrusted to the COI. The I.A. in his inquiry report in the reference 1<sup>st</sup> read above, held that both the articles of charges are proved against Sri D.Ghouse Mohd., ACGE. The inquiry report was communicated to the A.O. and he has submitted his explanation in the reference 2<sup>nd</sup> read above.

3. After considering the matter, a provisional view was taken to impose the penalty of 10% cut in pension for 2 years on Sri D.Ghouse Mohd., A.C.G.E.(Retd) and issued a Show cause notice vide reference 3<sup>rd</sup> read above. The Accused Officer has submitted his explanation in the reference 4<sup>th</sup> read above.

4. Government after careful examination of the entire matter in detail, observed that the explanation of the A.O. is not convincing. Hence decided to confirm the provisional decision to impose the punishment indicated in the Show-cause notice. Accordingly, the punishment of 10% cut in pension for 2 years is hereby imposed on Sri D. Ghouse Mohammed, the then ACGE, O/o DEO, Mahabubnagar (now Retired) under Rule 9 of A.P. Revised Pension Rules,1980 on the ground that the charges held proved in the enquiry and the same could not be implemented, since he was already awarded withholding of entire pension & gratuity vide reference 5<sup>th</sup> read above, consequent upon his conviction in trap case.

5. The Director of Government Examinations, Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. D. SAMBASIVA RAO

PRINCIPAL SECRETARY TO GOVERNMENT (SE)

To

Sri D.Ghouse Mohammed, ACGE(Retd.), through

Director of Govt. Examinations, Hyderabad.

The Director of Government Examinations, Hyderabad.

Copy to:-

The Secretary to V.C., A.P.V.C.

The Director General, Anti-Corruption Bureau, Hyderabad.

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER